

TOWN COUNCIL REGULAR MEETING
Town Council Meeting
Town Hall Council Chambers
Thursday ~ August 14, 2008
7:00 p.m.
OFFICIAL MINUTES

Pursuant to the foregoing notice, the regular meeting of the Haverhill Town Council was held on Thursday, August 14, 2008 at the Town Hall, 4585 Charlotte Street, Haverhill, FL. Those present were: Joseph Kroll, Mayor; Jay Foy, Council Vice President; Henry Lynch, Council Member; Mark C. Uptegraph, Council Member; John Foster, Town Attorney; Janice C. Rutan, Town Clerk and Joseph Roche, Code Enforcement Officer.

CALL TO ORDER

Council Vice President Foy called the meeting to order at 7:00 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

Council Vice President Foy led the Invocation and Pledge of Allegiance.

ROLL CALL

The Clerk called the Roll. All members were present with the exception of Council President Woods who would be arriving late and Council Member Beavers who was in Tampa attending the Florida League of Cities conference.

APPROVAL OF THE AGENDA

The Town Clerk reported that the applicants for the Special Exception to allow for the installation of a wireless communication tower and antennas that is 100 feet tall and which shall be operated by T-Mobile South, LLC as filed by Greenspoon, Marder, P.A. as agent for the owner Alpine Haverhill Holdings, L.C. had requested the matter be continued to the September 2, 2008 workshop for discussion and then to be placed on an agenda after that workshop.

A motion was then made by Council Member Uptegraph, seconded by Council Member Lynch and unanimously passed (3-0) to continue the application for a Special Exception to allow for the installation of a wireless communication tower and antennas that is 100 feet tall and which shall be operated by T-Mobile South, LLC as filed by Greenspoon, Marder, P.A. as agent for the owner Alpine Haverhill Holdings, L.C. had requested the matter be continued to the September 2, 2008 workshop for discussion to be placed on a regular meeting agenda after that workshop.

A motion was then made by Council Member Uptegraph, seconded by Council Member Lynch and unanimously passed (3-0) to approve the agenda as amended.

APPROVAL OF THE CONSENT AGENDA

Approval of the minutes of the July 10, 2008 and July 24, 2008 Regular Meetings

A motion was made by Council Member Lynch, seconded by Council Member Uptegraph and unanimously passed (3-0) to approve the Consent Agenda as presented.

PROCLAMATIONS AND PRESENTATIONS

Presentation of the Solid Waste Authority in appreciation of the Town of Haverhill's support and participation in the SWA's Recycling Program

Susan Chapman of the Solid Waster Recycling Department was present to express appreciation to the Town of Haverhill and its residents for their participation in the recycling program. Through the efforts of the program and the Town residents, the Authority had been able to recover 108 thousand tons of recyclable material from going into the landfill. Ms. Chapman presented an engraved glass plaque (made of recyclable material) to the Town Council in appreciation of the Town's support of the Recycling Program.

In response to Council Member Foy's inquiry, Ms. Chapman explained that the Authority was no longer in the recycling collection business; therefore the collection "igloos" that had been placed around the County have been removed.

Discussion followed as to drop off locations and other recycling facilities. With the "Going Green" initiative, the Authority has seen an increase in voluntary recycling efforts.

COMMENTS FROM THE PUBLIC

None.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S DEPARTMENT

No one present.

SECOND READINGS AND PUBLIC HEARINGS

None.

~~**PUBLIC HEARING: Act on Request for Special Exemption to allow for the installation of a wireless communication tower and antennas that is 100 feet tall and which shall be operated by T-Mobile South, LLC as filed by Greenspoon Marder, P.A. as agent for the owner Alpine Haverhill Holdings, L.C. (Continued from July 10, 2008)**~~

(Continued to the September 2, 2008 Workshop per the request of the applicant).

FIRST READINGS AND REGULAR AGENDA

Consider request for variation from Section 58-319 to install a 6 foot high fence at 1063 Park Lane (Continued from July 10, 2008)

Town Attorney Foster gave the background on the application. The Code Enforcement Officer reported that there were no violations on the property. It was confirmed that at the July 10, 2008 meeting, the applicants had been given permission to install the gate provided that no part of the gate was opaque, therefore any permit issued would state that stipulation.

Because the applicants were not present, and the design of the fence needed to be clarified, it was agreed to table the matter until the applicants were present to answer any outstanding questions.

A motion was made by Council Member Lynch, seconded by Council Member Uptegraph and unanimously passed, to table the request for variation from Section 58-319 to install a 6 foot high fence.

Proposed Ordinance No. 367: Article IX. Supplemental District Regulations. Division 11. Congregate Living Facilities, Sec. 58-490. Congregate Living Facility Regulations (First Reading)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING ARTICLE IX, SUPPLEMENTAL DISTRICT REGULATIONS, CHAPTER 58, ZONING, TO ADD A NEW DIVISION 11 RELATING TO CONGREGATE LIVING FACILITIES; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

The title was read by Attorney Foster.

Attorney Foster presented Staff's report.

A motion was made by Council Member Uptegraph and seconded by Council Member Lynch to approve Ordinance No. 367 on first reading.

With no public comment, the vote was called. The motion passed unanimously.

Proposed Ordinance No. 368: Storage Shed Code Revisions. Sec. 58-331. Accessory Buildings (First Reading)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING DIVISION 1 OF ARTICLE IX, SUPPLEMENTAL DISTRICT REGULATIONS, OF CHAPTER 58, ZONING, BY AMENDING SECTION 58-331, STORAGE SHEDS, TO ADD NEW REGULATIONS REGARDING ACCESSORY BUILDINGS INCLUDING THE LOCATION, NUMBER, SIZE AND USES OF SUCH ACCESSORY BUILDINGS; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

The title was read by Attorney Foster.

Attorney Foster presented Staff's report. Mr. Foster highlighted specific areas of the proposed ordinance specific to the size and number of the accessory buildings.

Todd Trimaldi and Troy Blake were present in the audience in support of the Ordinance.

Mr. Foster explained that second reading of the Ordinance would take place on August 28, 2008 and if passed, Mr. Trimaldi and Mr. Blake could file for a variation on August 29, 2008. Attorney Foster briefed them on the application process.

Discussion followed. Council Vice President Foy pointed out the difference between the variance procedure and the variation procedure. He referred to that part of the Ordinance.

A motion was then made by Council Member Uptegraph and seconded by Council Member Lynch to approve Ordinance No. 368 on first reading.

With no public comment the vote was called. The motion passed unanimously (3-0).

Update on Northern Annexation area

In the absence of Council President Woods, Mayor Kroll reported on the Annexation Informational meeting that was held on August 12, 2008. Mayor Kroll noted that one resident was vehemently against the annexation, but all in all the meeting went well.

REPORTS

Town Attorney

Discussion followed as to when the next meeting of the Code and Ordinance Committee was scheduled.

Consultants

None.

Mayor' Report

None.

Assistant Town Administrator/Town Clerk

The Clerk confirmed that the Town Council would not be taking action relative to the location of the future western landfill site. General consensus of those present did not require the matter to be brought back before Council.

Committee/Delegate Report

Council Vice President Foy reported that the Code and Ordinance Committee had finally caught up with pending issues and would be returning to tackling newer issues.

Treasurer's Report

Included in Packet.

UNFINISHED BUSINESS

In response to Council Vice President Foy's inquiry, Code Enforcement Officer Roche reported that he had been in touch with the Bank concerning the Sunset Isles property. He was hoping the property could be mowed. The Town Clerk was working with the Banks representative concerning the repairs to abutting properties caused by the drainage issues.

Mr. Roche reported that the Town had received recent complaints about the Belvedere property that had wanted to operate as a Church. Code Enforcement would be looking into it.

Council President Woods entered the meeting (7:30 p.m.) and asked that the Vice President continue to Chair the meeting.

As a follow up to the Mayor's report on the meeting, Mr. Woods commented that he still was positive about the annexation.

Council Vice President Foy inquired as to status of the funding for the lift station. It was reported that the CRALLS petition would be before the County Commissioners and if approved would provide partial funding for the lift station. The remaining funds would come from AT&T should they petition the Town for a generator.

Staff was unable to answer why Palm Beach County were marking the water and sewer lines.

Mayor Kroll complained that construction at the Stacy Street school was commencing at 6:00 a.m. daily.

NEW BUSINESS

None.

ADJOURNMENT

With no further business to come before the Town Council, it was moved, seconded and unanimously voted to adjourn at 7:43 p.m.

Approved:

Date

10/23/08


Janice C. Rutan, Town Clerk


Jay G. Foy, Council Vice Pres.